

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
vs.)	CRIMINAL ACTION 08-00204-KD
)	
DANIEL STUART ADDISON,)	
)	
Defendant.)	

ORDER

This action is before the Court on the motion for defendant's pleading entitled "Federal Complaint / U.S. Attorney's Office, Government Misconduct / Writ of Conspiracy" filed on August 5, 2009 and August 24, 2009 (docs. 60, 61). Upon consideration, the pleadings are **STRICKEN** for lack of jurisdiction. The Court is without jurisdiction to grant collateral relief while this action is pending on appeal. See United States v. Dunham, 240 F. 3d 1328, 1329-1330 (11th Cir. 2001) ("We conclude that the district court lacked jurisdiction to consider and rule on Dunham's § 2255 motion during the pendency of her direct appeal of her sentence, and therefore her appeal of the district court's denial of that motion is dismissed without prejudice and the district court's order denying Dunham's § 2255 motion is vacated without prejudice to Dunham's right to file a § 2255 motion after the disposition of her direct appeal.")

DONE and **ORDERED** this the 1st day of September, 2009.

s / Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE